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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

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8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 ALFONSO RIVERA-AVALOS, et al.,

12 Defendants.
13

2:09-CR-262 JCM (GWF)

14 **ORDER**

15 Presently before the court is the matter of *United States v. Rivera-Avalos, et al.*, case no.
16 2:09-cr-262-JCM-GWF.

17 Defendant Adrian Fuentes-Garcia filed a motion to vacate under 28 U.S.C. § 2255, which
18 this court denied as untimely. (Doc. # 265). The Ninth Circuit reversed and remanded with
19 instructions to hold an evidentiary hearing. (See memorandum opinion, doc. # 326).

20 Accordingly, an evidentiary hearing is set for **Tuesday, September 16, 2014 at 10:00 a.m.**
21 **in courtroom 6A**. The parties are instructed to file any information they wish the court to consider
22 at the hearing no later than **September 9, 2014**. The government is ordered to file the appropriate
23 writ in a timely manner to ensure the petitioner's presence at the hearing.

24 IT IS SO ORDERED.

25 DATED July 16, 2014.

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28 **UNITED STATES DISTRICT JUDGE**